

Remarks/Arguments

Reconsideration of this application is requested.

Claims 1-24 have been rejected by the Examiner under rule 35 USC §103(a) as being unpatentable over Rune (U.S. Patent No. 6,304,913) in view of Rabinovich (U.S. Patent No. 6,256,675).

Claims 8 and 16 have been cancelled.

Rune discloses the following in lines 6-38 of column 5:

"Referring to FIG. 2, there is illustrated a simplified flowchart of the selection method **200** used to select the closest or most appropriate alternative server **158b** from the viewpoint of the requesting host **152a**. Beginning at steps **202** and **204**, the host name **114** is assigned (step **202**) to the set of alternative servers **158b** and **158e** and a unique IP address **116** is assigned (step **204**) to each alternative server so that no two alternative servers have the same IP address. For example, the set of alternative servers **158b** and **158e** can have the host name **114** of "mirror_servers" and IP addresses **116** of "209.180.55.2" (alternative server **158b**) and "209.180.55.9" (alternative server **158e**).

At step **206**, the assigned host name **114** and the unique IP addresses **116** are stored in some or all of the look-up tables **111** of the DNS servers **156a-156e**. The DNS servers **156a-156e** can be different levels of hierarchy such that one DNS server (e.g., DNS server **156a**) may not store a particular host name and IP address while another DNS server (e.g., DNS server **156e**) a step lower in the hierarchy may store the particular host name and IP addresses.

At step **208**, the requesting host (e.g., requesting host **152a**) transmits a translation request containing the host name **114** of the alternative servers **158b** and **158e** to one of the DNS servers (e.g., DNS server **156a**). In the event one of the local DNS servers (e.g., DNS server **156a**) does not recognize the host name **114** transmitted in the translation request, then the local DNS server **156a** would refer the request to another DNS server (e.g., DNS server **156c**) known as a DNS root server which locates yet another

DNS server (e.g., DNS server **156e**) that is a step lower in the hierarchy which may recognize the transmitted host name.

Rabinovich discloses the following in lines 7-29 of column 6:

"A request distributor **101** is connected to a network **102**. Hosts **103**, **104** and **105** are also connected to the network **102**. A host is defined to be a computer that stores a replica of an object. An object is a piece of information. A replica is a physical embodiment of an object. For example, a replica is a file stored on a medium that is adapted to be read electronically. One example of a replica is a graphics file stored on a hard disk that is part of a computer. Another example is an executable program stored in random access memory.

The request distributor is comprised of a processor **106** and a memory **107** that stores request distribution instructions **108** adapted to be executed by the processors **106** to perform the method in accordance with the present invention. In one embodiment, request distribution instructions **108** are adapted to be executed by processor **106** to receive a request for an object from a requester **109** connected to the network **102** and distribute the request to a host (e.g., host **103**) that stores a replica of the requested object in accordance with the method of the present invention. A replica is replicated to a second host when a replica of the object is newly recognized to be stored at the second host. Processor **106** is coupled to memory **107**."

In the invention disclosed by Rune, DNS servers 156a-156e are involved at the beginning of the operation. In the invention disclosed by Rabinovich, request distributor 101 is used in the beginning of the operation.

The inventions disclosed by Rune and Rabinovich, taken separately or together, do not disclose or anticipate the invention claimed by Applicant's invention in claims 1, 9 and 17, as amended, and those claims dependent thereon. The cited references do not disclose or anticipate step d) of claims 1, 9 and 17, namely, accessing by said devices a seed system to download an updated table if said devices can not access the service

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provider retrieved from said table. In other words, Rune's DNS servers 156a-156e and Rabinovich's request distributor 101, which are equivalent to Applicant's seed system 34, are used in a different manner. In Applicant's invention, the table is used first. If the information is available in the table, there is no need to go to the seed system. The seed system is only used as a last resort, when the information from the table is not correct and has to be updated. Consequently, Applicant's claimed invention is faster than the inventions disclosed by Rune and Rabinovich, since Rune's DNS servers 156a-156e and Rabinovich's request distributor 101 handle a larger amount of traffic than Applicant's seed system 34, which takes additional time.

In view of the above, claims 1-7, 9-15 and 17-24, as amended, are patentable. If the Examiner has any questions, would he please contact the undersigned at the telephone number noted below.

Respectfully submitted,



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